

Applicants respectfully request that Nagata be removed as a reference as allowed under 35 U.S.C. § 103(c).

The Nagata patent is assigned to NEC Corporation. The Nagata patent qualifies as prior art under 35 U.S.C. § 102(e) since the Nagata patent issued on January 23, 2001 based on an application filed in the U.S. on November 6, 1998. The corresponding Nagata Japanese application was published on December 26, 2000 in Japan. The present application was filed in the United States on June 14, 2000. Further, the Nagata patent and the present application were, at the time the present invention was made, commonly owned by or subject to an obligation of assignment to NEC Corporation.

Accordingly, Applicants respectfully submit that at least because Nagata is not prior art against this application, this rejection must be withdrawn.

Claims 2-3 and 6-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tiedemann in view of Nagata and Hayashi.

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Response Under 37 C.F.R. § 1.111  
Application No. 09/593,158

Attorney Docket No.: Q59650

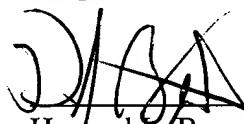
the United States on June 14, 2000. Further, the Nagata patent and the present application were, at the time the present invention was made, commonly owned by or subject to an obligation of assignment to NEC Corporation.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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